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The Changing Role Of the Lawyer



Alfredo Irti



Natalino Irti



Nicola Irti

For many years now the belief has been that the traditional concept of the lawyer, that is as a barrister representing parties in litigious circumstances, has changed in line with the decline of contentious litigation. The rise of huge financial deals, in which banks, businesses and insurance companies are merging, had contributed to the changing role of the lawyer.

However, with the changing economic climate, such large transactions have started to decline. The Italian financial landscape changed in such a way that it was populated only by the occasional big company, with the small-to-medium sized enterprises preferring to stay under the control of a small, niche group of shareholders, and remain family businesses. Dangerous changes of ownership were to be avoided at all costs. There was no room for risky deals.

Then, Italy faced an economic and industrial crisis. And in such times, crisis feeds controversy, and parties are forced to get tougher in terms of defending their rights, and become more willing to incur lengthy and expensive law suits in doing so.

Today, given these circumstances, there has been a rediscovery of the role of the traditional lawyer, namely that of a barrister, a professional advocate, one who argues the hearing in a court of law, who is comfortable with defence briefs, and who manages relationships with judges and arbitrators.

Law firm Studio Legale Irti has received a shot in the arm thanks to this renewed trend towards litigation.

Established over 100 years ago, Studio Legale Irti, is headed by general manager and senior partner Natalino Irti, professor of Civil Law at Rome University La Sapienza. Furthermore, Prof. Irti is a member of the Accademia dei Lincei (among other national institutions) and is the author of more than twenty legal publications, printed in several editions and translated into various languages.

Studio Legale Irti has, over the years, evolved in character and focus. In recent years, with Prof. Irti's son, Nicola Irti, driving innovation, the firm has sought to widen its dimensions and extended its fields of practice.

The firm has defended many important Italian corporations and banks in a number of well-documented cases and arbitrations.

Notable cases include; San Paolo vs. Eni (the so called Black Friday case, concerning the value of the US\$ on the price of the oil), the law suit over the approval clause as well as the liability of insurance companies in anti-competitive conducts.

In terms of arbitrations that Mr Irti has been involved in, either acting as barrister (with the contribution of Francesco and Savini Nicci) or arbitrator, examples include; Montedison/Eni, Mondadori/CIR, H3G/Ericsson, Telecom/Fastweb, Cepav 2/TAV. As further testament to his arbitration credentials, Mr Irti has also been chairman of Italian Association for Arbitration.

Today, the firm employs some fifteen lawyers, including Michele Mammone and Alfredo Irti.

Michele Mammone has been advising companies in the fields of commercial and administrative law since he joined the firm in 1999: in particular, Mr Mammone took part to several law suits (before Civil, Arbitration and Administrative Courts) and advised in corporate and industrial operations (by establishing companies or managing the transfer of either business departments or capital shares), with reference to the various businesses of companies operating in both traditional and technological fields (production, distribution and retail of goods and services, building, works, financial services, securitisation of credits, TLC, ICT, and others), in Italy and abroad; as an example, on behalf of H3G S.p.A., the Italian investment of Hutchison Whampoa group in third generation mobile communication (with the trademark '3'), Mr Mammone managed the lease to the Italian Ericsson subsidiary of the ICT and Network going concern, and the relevant ancillary service contracts, as well as the acquisition of the DVB-t infrastructure from Italian operators, which later enabled H3G to provide the DVB-h service to its customer, along with the UMTS service.

Thank to the contribution of Alfredo Irti, who recently joined the firm, and that has gained significant experience in insurance field by advising international



operators such as AIG, AON, Dual, Gerling, Marsh, QBE, Trenwick International, Wellington, the firm now advises Italian and foreign insurance and re-insurance companies (among these, some Lloyd's of London Underwriters, which operate in tort liability, mainly professional); the firm can offer to its clients a wide range of services, from the clearance and the release of the relevant authorisations up to the advisory in realising

the insurance products, including managing the accidents and the relevant disputes in close connection to the loss adjusters.

Another field which has been growing due to the crisis of the international stock exchanges is real estate; also in this sector the firm (with the fundamental involvement of Nicola Irti and Alfredo Irti) has been requested to advise important groups in negotiating and executing important

real estate agreements, and in managing disputes.

The latest stage in the development of the Italian business landscape offers great potential for the development of Studio Legale Irti, building on its long tradition and professional qualities in the provision of legal services, which to this day are provided with as scrupulous a care as a craftsman employs in his workshop.





The general focus of the firm is to provide advice and assistance on the institutional sectors of civil law (property, bonds and contracts) even when contentious, within a commercial law context.

Industrial

Provides advice and assistance, even when contentious in the areas of copyright and protection of intellectual property (trademarks and industrial inventions) and the discipline of competition.

Civil

Provides advice and assistance in the deployment phase and in major events relating to the capital, and in related litigation.

Banking

Provides assistance in disputes arising from banking relationships, such as loans, current accounts, deposit securities, advances, safes and credit.

Insolvency

Provides advice to companies facing insolvency. Services include advice on capital and dispute resolution, with regard to all the procedures laid down in Royal Decree 267/42, and its subsequent special laws.

Arbitration

Provides assistance in arbitration procedures, domestic and international law. Has the ability to act for the party or to referee negotiations.

Telecommunications

Acts as a consultant in the field of broadcasting and telecommunications, both with regard to relations with the Telecommunications Authority, and before the Administrative Judge.


Public

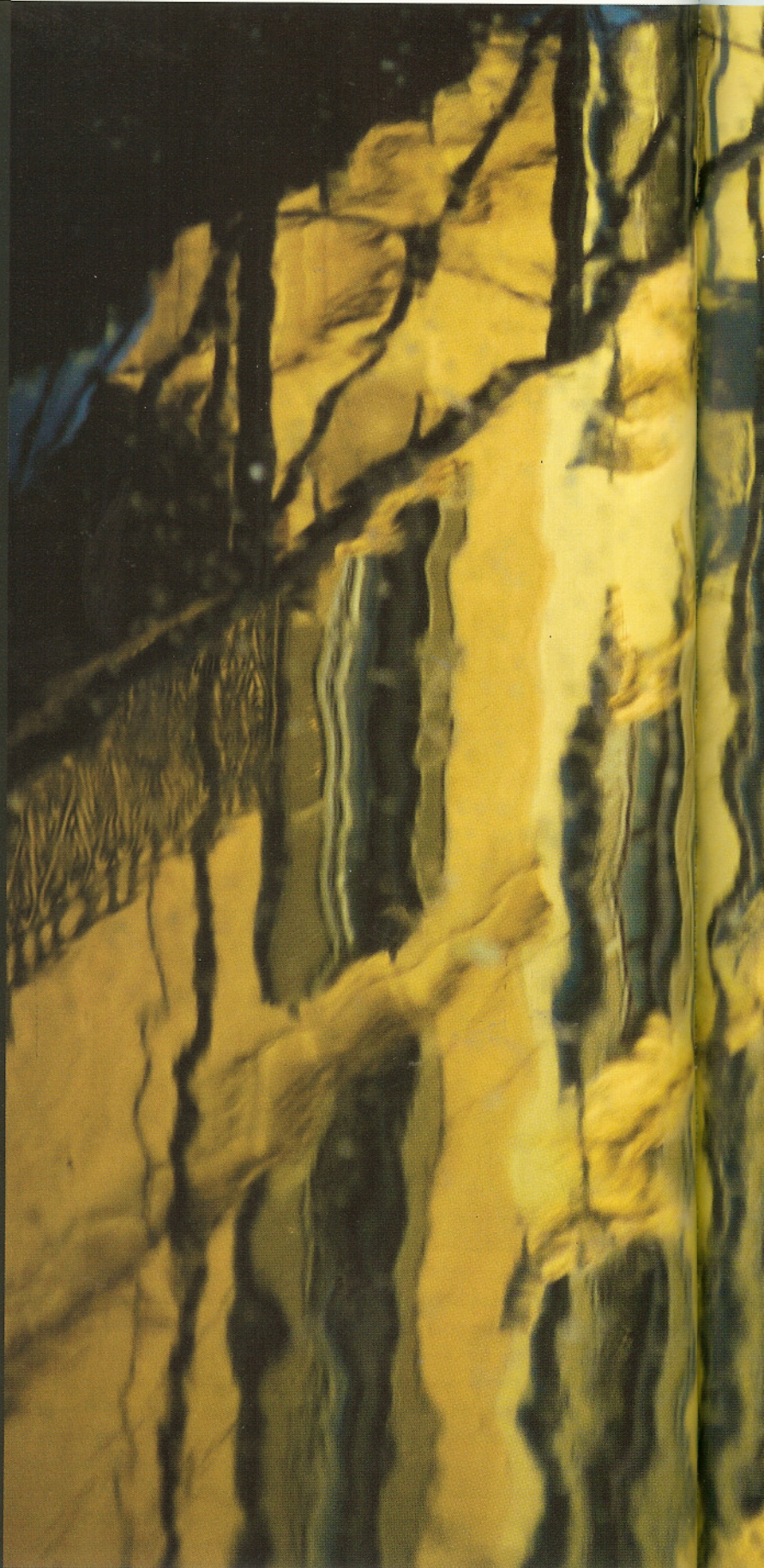
Provides advice in the production of advertising campaigns and audiovisual works (television and film) and provides assistance in litigation, both before the Authority and the Antitrust Jury of Advertising.

Administration

Provides advice and assistance in judicial decisions before the Tar and Council of State in several areas of administrative law including public services and public works, energy, antitrust, pollution and TLC.

Finance

Provides advice and assistance to listed companies and financial intermediaries in the following areas: the constitution, relations with supervisors, pensions and investment services, securities and corporate governance 





Curriculum Vitae

Nicola Irti

- Born in Avezzano (AQ) July 30, 1970.
- Graduate in Jurisprudence with honours from the University of the Studies of Rome in 1994.
- Called to the bar in 1997.
- Civil law, real estate and arbitration.

Michele Mammone

- Born in Verona on February 6th, 1970.
- Graduated with honours in law at LUISS – Guido Carli of Rome in 1994.
- Called to the bar in 1997.
- Commercial and administrative law, both in advisory and in litigation.

Alfredo Irti

- Born in Avezzano (AQ) April 30, 1971.
- Graduated with an honours degree in law at the University of Rome in 1996.
- Called to the bar in 1999. Partner in Traverso & Associates, Studio Legale from 2004 – 2007.
- Civil and commercial law (insurance, banking, real estate), with particular experience in litigation.

Francesco Arnaud

- Born in Rome on September 24, 1975.
- Graduated in Law at the University of Rome in 1998.
- Called to the bar in 2001.
- Corporate, banking and arbitration.

Mario Savini Nicci

- Born in Rome on April 27, 1974.
- Graduated in Law at the University of University of Rome in 1999.
- Called to the bar in 2002.
- Civil and administrative law.